

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
February 5, 2008

Copies of the resolutions and water quality order can be obtained by calling (916) 341-5600 or downloading from our web site at <http://www.waterboards.ca.gov/resdec/index.html#resdec>.

CALL TO ORDER

Chair Tam Doduc called the meeting to order on February 5, 2008 at 10:02 a.m. in the Coastal Hearing Room at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Sacramento, California.

BOARD MEMBERS PRESENT

Tam Doduc, Chair; Gary Wolff, P.E., Ph.D., Vice Chair; Member; Arthur G. Baggett, Jr., Member; Charlie Hoppin, Member; Frances Spivy-Weber, Member

STAFF PRESENT

Dorothy Rice, Executive Director
Nancy Aquino, Executive Office
Jonathan Bishop, Chief Deputy Director
Michael Lauffer, Chief Counsel
Sheila Vassey, Office of Chief Counsel
James Herink, Office of Chief Counsel
Erin Mahaney, Office of Chief Counsel
Ted Cobb, Office of Chief Counsel
Andy Sawyer, Office of Chief Counsel
Bill Rukeyser, Office of Public Affairs
Kathie Smith, Office of Public Affairs
Vicky Whitney, Division of Water Rights
Les Grober, Division of Water Rights
Diane Riddle, Division of Water Rights
Jim Kassel, Division of Water Rights

Tom Howard, Chief Deputy Director
Jeanine Townsend, Clerk of the Board
Jim Maughan, Division of Financial Assistance
Barbara Evoy, Division of Financial Assistance
Gita Kapahi, Office of Public Participation
Mark Bradley, Office of Enforcement
Reed Sato, Office of Enforcement
Chris Beegan, Division of Water Quality
Dominic Gregorio, Division of Water Quality
Darrin Polhemus, Division of Water Quality
Bruce Fujimoto, Division of Water Quality
Liz Haven, Division of Water Quality
Rik Rasmussen, Division of Water Quality
Rob Egel, Office of Legislative Affairs

ANNOUNCEMENT

- *Evacuation information in case the fire alarm goes off during the meeting*
- *The Board meeting is being webcasted and recorded.*

PUBLIC FORUM

None

BOARD BUSINESS

1. The Board will consider adoption of the January 15, 2008 board meeting minutes.

Motion: Vice Chair Wolff moved to adopt the January 15, 2008 board meeting minutes.

Seconded by: Member Hoppin

MOTION CARRIED ([01/15/08](#))

Aye: Board Chair Doduc
Vice Chair Wolff
Member Spivy-Weber
Member Hoppin

Absent: Member Baggett

2. Board Member Report

- ❖ *Vice Chair Wolff thanked the Governor for his reappointment to his Board position.*
- ❖ *Vice Chair Wolff also mentioned the Stormwater Management DVD - Turning Runoff into a Resource done by the Water Education Foundation. He stated that it was extremely well done and a good introduction to Stormwater Management.*
- ❖ *Member Spivy-Weber attended the Bay-Delta Blue-Ribbon Task Force Meeting last week where Vicky Whitney, Deputy Director of Division of Water Rights gave an amazing presentation about water rights in the Bay-Delta. She stated that this presentation should be shown to Legislature and the Governor's Office.*
- ❖ *Member Hoppin mentioned that it was very clear to him while reviewing his ballot yesterday, that there was one missing component maybe several, but there was nothing mentioned on water infrastructure or water issues that need to be addressed.*
- ❖ *Chair Doduc thanked all the SWRCB staff for all their hard work in 2007.*
- ❖ *Chair Doduc mentioned the Strategic Planning Workshop scheduled for tomorrow*
- ❖ *Chair Doduc thanked Vice-Chair Wolff and all the Regional Board Chairs for a productive meeting yesterday discussing the Water Boards infrastructure and their governance and how we might improve our operations.*

UNCONTESTED ITEMS (Items 3-5)*

- *3 Consideration of a Resolution adopting a statement of overriding considerations regarding the [Integrated Regional Water Management Program's Martin Slough Interceptor Project](#).

Motion: Member Spivy-Weber moved to adopt the proposed resolution.

Seconded by: Vice-Chair Wolff

MOTION CARRIED ([Resolution 2008-0006](#))

Aye:
Board Chair Doduc
Vice Chair Wolff
Member Spivy-Weber
Member Hoppin

Absent: Member Baggett

- *4. Consideration of a Resolution on the [State Revolving Fund \(SRF\)](#) Loan Program Loan Service Rate for State Fiscal Year 2007-08.

Motion: Member Spivy-Weber moved to adopt the proposed resolution.

Seconded by: Vice-Chair Wolff

MOTION CARRIED ([Resolution 2008-0007](#))

Aye:
Board Chair Doduc
Vice Chair Wolff
Member Spivy-Weber
Member Hoppin

Absent: Member Baggett

- *5 Consideration of a Resolution on extension of the preliminary State Revolving Fund (SRF) Loan and Small Communities Wastewater (SCW) Grant commitment expiration dates for the Nevada County Sanitation District No. 1 (District), [Cascade Shores Wastewater Treatment Plant Project \(Project\)](#).

Motion: Member Spivy-Weber moved to adopt the proposed resolution.

Seconded by: Vice-Chair Wolff

MOTION CARRIED ([Resolution 2008-0008](#))

Aye: Board Chair Doduc
Vice Chair Wolff
Member Spivy-Weber
Member Hoppin

Absent: Member Baggett

OFFICE OF ENFORCEMENT

6. Consideration and discussion of the California Water Code Section [13385 Enforcement Report](#).
([Staff Presentation](#))

No Action Taken

Commenters

Ken Greenberg, U.S. EPA
Linda Sheehan, California Coastkeeper Alliance

WATER QUALITY

7. Consideration of a Resolution to adopt a Water Quality Control Plan for [Enclosed Bays and Estuaries - Part 1 Sediment Quality](#). (Written comments were due on November 30, 2007 ([Staff Presentation](#)) by 12 p.m.)

No Action Taken – Vote was deferred to the February 19, 2008 Board Meeting

Commenters

David Montagne, General Public
David Sunding, General Public
Dr. Susan Paulsen, General Public
Elaine Darby, Latham & Watkins
Elidia Dostal, Latham & Watkins for NASSCO
Gabriel Solmer, San Diego Coastkeeper
Geoff Brosseau, CASQA
Jennifer Kovecses, San Francisco Baykeeper
Kevin Bachan, Western States Petroleum Association
Kirsten James, Heal the Bay
Lisa Haney, Los Angeles Sanitation Districts
Patti Krebs, IEA
Paul Singarella, California Chamber
Thomas Grovhoug, TriTac/CASA/BACWA/CVCWA

INFORMATIONAL ITEMS

8. Update on Bay-Delta issues, including development of a strategic workplan that prioritizes and describes the scope of Bay-Delta activities. ([Staff Presentation](#))

No Action Taken

Commenters

Jon Rubin, San Luis Delta –Mendota Water Authority
Tim O’Laughlin, SJRGA

- ❖ Vice Chair Wolff & Member Baggett requested a briefing on the schedules.
- ❖ Member Baggett would like to have Delta Vision come to a Board Meeting and do a presentation.
- ❖ Vice Chair Wolff would like to have a draft workplan for the public to comment on by April so it can be adopted in June.
- ❖ Member Baggett stated that the public should have at least 60 days for public comment.
- ❖ Member Baggett suggested that a Board Meeting should have an informational item on VAMP.
- ❖ Member Hoppin stated before the final workplan is completed that the critical stakeholders are contacted for their comments and input.

CLOSED SESSION ITEMS

Closed Sessions are not open to the public

PERSONNEL

The Board will meet in closed session to discuss the appointment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another employee unless the employee requests a public hearing. (This closed session is authorized under Government Code section 11126, subd. (a)(1).)

WATER RIGHTS (These are authorized under Government Code section 11126(c)(3). These items will be scheduled for consideration at a future meeting. Interested parties will be notified of the exact times, dates and locations.)

- The Board will meet in closed session to deliberate on a proposed order following a hearing on Yuba County Water Agency’s petition to modify flow-related conditions imposed on its water right permits in Decision 1644 and petition for long-term transfer of water, both related to the lower Yuba River Accord.
- The Board will meet in closed session to deliberate on a proposed order following a hearing regarding a draft Cease and Desist Order and Administrative Civil Liability Complaint against the Vineyard Club, Inc., for an alleged unauthorized diversion from Oak Flat Creek, tributary to Gill Creek thence Russian River in Sonoma County.
- The Board will meet in closed session to deliberate on a proposed order following a hearing regarding a draft Cease and Desist Order and Administrative Civil Liability Complaint against North San Joaquin Water Conservation District regarding alleged violation of the District’s water right permit authorizing diversion of water from the Mokelumne River in San Joaquin County.
- The Board will meet in closed session to deliberate on a proposed order following a hearing regarding North San Joaquin Water Conservation District’s petition to extend the time schedule to develop the project, which is set forth as permit conditions in the District’s water right permit that authorizes diversion of water from the Mokelumne River in San Joaquin County.

ADJOURNED

The Board Meeting adjourned at 3:13 p.m.